ORIGINAL

REPUBLIC OF THE PHILIPPINES
SENATE
PASAY CITY

Impeachment Court

IN THE MATTER OF:

Case No. 004-2026

THE IMPEACHMENT OF VICE PRESIDENT SARA ZIMMERMAN DUTERTE

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COMMENT

Respondent, through counsel, submits this Comment on the Pre-Trial Order dated June 29, 2026,[1] as follows:

1. ***On the summary of admitted facts***. Respondent stands by the observations contained in her Comment [Re: Prosecution's Compliance and Manifestion (*sic*) with Request for Specification] dated June 26, 2026 in relation to the prosecution's admissions and denials in the proposed stipulations of fact in respondent's Pre-Trial Brief dated June 15, 2026, and Comment dated June 22, 2026

2. ***On the marked exhibits.*** To preserve the integrity and proper identification of the marked exhibits, respondent respectfully requests that the description of all these documents for both parties be made in detail and stated in the Pre-Trial Order, in accordance with standard court practice, and that it should conform with the record during the pre-marking of exhibits, without prejudice to the parties' further comments thereon.

3. ***On the "common exhibits."*** This Honorable Court noted in the Pre-Trial Order that there are documentary/object evidence common to both respondent and prosecution with separate markings.[2] However, respondent submits that she reserves the right to make the appropriate manifestations, objections, and other observations on the "common exhibits" marked by the prosecution as trial progresses.

4. ***On the Statement of Issues.*** While the current statement of issues contained in the Pre-Trial Order[3] encapsulates the Prosecution's proposed issues for resolution, respondent maintains its position that the following statement of issues contained in her Pre-Trial Brief[4] should also be included in the Pre-Trial Order, as this is only proper and fair.

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[1] Received on June 29, 2026. In the Pre-Trial Order dated June 29, 2026, this Honorable Court directed the parties to submit their Comments, if any, within three (3) calendar days from receipt. Thus, respondent has three (3) calendar days from June 29, 2026, or until July 2, 2026, to file her comment. This Comment is being filed within said period.
[2] Pre-Trial Order, p. 7
[3] Pre-Trial Order, p. 7
[4] Dated June 15, 2026

a. Whether the evidence procured by the House Committee on Justice during its "mini-trial" that had not been appended to any of the Saballa or Cabrera Complaints, should be excluded and stricken from the records;

b. Whether the allegations in the Articles of Impeachment constitute any impeachable offenses under the Constitution;

c. Whether the allegations in the Articles of Impeachment as well as the materials in support of it referring to periods when respondent was neither in public office nor holding any impeachable office, are irrelevant and therefore, should be expunged from the records;

d. Whether the Articles of Impeachment violate the constitutional rights of the respondent; and

e. Whether there exists competent and credible evidence sufficient to hold the respondent liable for any of the charges in the Articles of Impeachment, in accordance with the required degree of proof under the Rules and case law.

5. These issues form part of the questions pertaining to how the impeachment process was conducted before the House of Representatives and its Committee on Justice and further goes into whether respondent's constitutional rights, applicable to the entire impeachment process,[5] have been materially and substantially violated. This has been raised by respondent in her Answer dated May 25, 2026.

6. ***On the number of trial days and order of presentation.*** Respondent proposes the removal of the reference to Tanenggee v. People[6] and the prosecution's prerogative to choose the evidence or the witnesses it wishes to present.[7] The same is needless to state. Fairness dictates that the same right, prerogative, and discretion to present evidence or witnesses, and how to present her case-in-chief should be accorded to respondent in the same manner.

7. ***On the language during trial.***[8] Respondent proposes the removal of the phrase "subject to the Court's control of proceedings," and that this portion be amended to read:

> The proceedings shall be conducted in both English and Filipino, with counsel and witnesses permitted to use either language as circumstances may require, and subject to the availability of interpreters as appropriate.

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[5] Duterte v. House of Representatives, G.R. No. 378353, July 25, 2025
[6] G.R. No. 179448, June 26, 2013
[7] Pre-Trial Order, p. 12
[8] Pre-Trial Order, p. 13

8. The amendment is requested to maintain counsel and witnesses' freedom to choose a more comfortable language to give testimony during trial to allow effective communication among the parties, this Honorable Court, and the public.

9. ***On objections to the admissibility or relevance of evidence marked.*** To avoid ambiguity and to make the Pre-Trial consistent with Administrative Matter No. 2026-001, series of 2026 or the Guidelines for the Conduct of Pre-Trial Conference in Case No. 004-2026 dated June 16, 2026, the 3rd paragraph of page 7 of the Pre-Trial Order which presently reads as "[u]nless otherwise expressly manifested, the marking is without prejudice to the parties' objections to the admissibility or relevance of the evidence marked" should be revised to read as:

> Unless otherwise expressly manifested, the marking is without prejudice to the parties' objections to the admissibility or relevance of the evidence marked pursuant to Section 3 of Administrative Matter No. 2026-001 series of 2026 which expressly states that *the marking of an exhibit shall not be construed as an admission of its authenticity, due execution, genuineness, relevance, or admissibility.*

10. ***On reciprocal witness disclosure.*** Respondent repeats her proposal for a 5-day prior disclosure rule instead of 3-day notice, computed based on the prevailing rule on computations of time, that is, the first day is excluded, and the last day included. Parties should also be directed to make such prompt disclosure through electronic mail.

11. ***On opening statements.*** Respondent requests that the Pre-Trial Order should contain a directive that the opening statement of each party during trial shall be limited only to (a) one counsel each per side, and (b) 10 to 15 minutes to ensure that both parties are given ample opportunity to give their maiden remarks without consuming significant time of the court, promoting delay in the proceedings.

Makati City, July 2, 2026

Respectfully submitted.

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By:

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Copy furnished:

The Prosecution Panel
House of Representatives
Batasang Pambansa Complex
Batasan Hills, Quezon City

4193-1-07

REPUBLIC OF THE PHILIPPINES)
MAKATI CITY)ss.

AFFIDAVIT OF FILING AND SERVICE

I, **LINDON MIGUEL C. BACQUEL,** of legal age, and subscribing under oath, depose and say:

1. I am an employee of the law firm of **FORTUN NARVASA & SALAZAR LAW OFFICES**, with business address at 23rd Floor, Multinational Bancorporation Centre, 6805 Ayala Avenue, Makati City;

2. On July 2, 2026, I served copies of "**COMMENT**" in the case entitled "**IN THE MATTER OF: THE IMPEACHMENT OF VICE PRESIDENT SARA ZIMMERMAN DUTERTE**" docketed as "***Case No. 004-2026***" before the **SENATE OF THE PHILIPPINES, PASAY CITY, IMPEACHMENT COURT,** in the following manner:

2.1 **SENATE OF THE PHILIPPINES**
Impeachment Court
Pasay City

_____ by electronic mail.

2.2 **The Prosecution Panel**
House of Representatives
Batasang Pambansa Complex
Batasan Hills, Quezon City

_____ by electronic mail.

Makati City, July 2, 2026

[redacted]
LINDON MIGUEL C. BACQUEL

SUBSCRIBED AND SWORN to before me this 2nd day of July, 2026, affiant being personally known to me, exhibited his Driver's License No. C05-12-012462 and valid until October 5, 2033 as competent proof of his identity.

Doc. No. 82;
Page No. 17;
Book No IV;
Series of 2026

4193-1-07

[redacted]
FRANCESCA MARIE V. FLORES
Notary Public of Makati
Appointment No. M-010
Commission until December 31, 2027
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PTR No. 10767910; 01-05-2026; Makati City
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